IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
REQUEST FOR FILING A PATENT APPLICATION UNDER 37 CFR 1.53(b)

Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

Dear Sir:

This is a request for filing a **DIVISIONAL** application under 37 CFR 1.53(b) of pending prior U.S. application Serial No. 09/299,689, filed April 26, 1999, entitled NOVEL HUMAN SERINE CARBOXYPEPTIDASE, which is a divisional application of U.S. application Serial No. 08/828,488, filed March 31, 1997, and issued on July 20, 1999 as U.S. Patent No. 5,925,521, entitled HUMAN SERINE CARBOXYPEPTIDASE.

1. __X__ Enclosed is a specification corresponding to the prior application, U.S. application Serial No. 09/299,689, filed April 26, 1999, which is a divisional application of U.S. application Serial No. 08/828,488, filed March 31, 1997, and issued on July 20, 1999 as U.S. Patent No. 5,925,521, including the oath or declaration as originally signed. The specification does not contain any subject matter that would have been new matter in the prior application.

2. __X__ With regard to the requirement of 37 CFR 1.821(e) which requires that a copy of the Sequence Listing in computer readable form (CRF) be submitted, Applicants state that the paper copy of the Sequence Listing for the instant divisional application is identical with the computer readable form filed with application Serial No. 08/828,488, filed March 31, 1997, and issued on July 20, 1999 as U.S. Patent No. 5,925,521, to which priority is claimed. In accordance with 37 C.F.R. §1.821(e), please use the computer readable form filed with U.S. application Serial No. 08/828,488 as the computer readable form for the instant divisional application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant divisional application.

1

3. _X_ Cancel in this application original claims 2-10, 13-29, 46-55 and 57-61 before calculating the filing fee, without prejudice or disclaimer. Applicants submit that these claims were included in the application as filed in the interest of providing notice to the public of certain specific subject matter intended to be claimed, and are being canceled at this time in the interest of reducing filing costs. Applicants expressly state that these claims are not being canceled for reasons related to patentability, and are in fact fully supported by the specification as filed. Applicants expressly reserve the right to reinstate these claims or to add other claims during prosecution of this application or a continuation or divisional application. Applicants expressly do not disclaim the subject matter of any invention disclosed herein which is not set forth in the instantly filed claims.

4. _X_ The inventor(s) of the invention being claimed in this application is (are): Olga Bandman, Phillip R. Hawkins, Jennifer L. Hillman, Preeti Lal, Surya K. Goli.

5. _X_ In accordance with 37 CFR 1.63(d) a copy of the originally signed declaration showing applicant's/applicants' signature(s) as filed on October 14, 1997, is enclosed.

6. ___ Amend the specification by inserting after the title: "This application is a divisional application of U.S. application serial number 08/828,488, filed March 31,1997, all of which applications and patents are hereby incorporated herein by reference."

7. _X_ The filing fee is calculated below:

Claims	Number Filed	Minus	Number Extra	Other Than Small Entity Rate	Fee	Basic Fee $740.00
Total Claims	20	-20	0	x $18		$ 0
Indep. Claims	3	-3	0	x $84		$ 0
___ Multiple Dependent Claim(s), if any				+ $280		$ 0

TOTAL FILING FEE $ 740.00

8. ___ An extension of time in the above-named prior application has been requested and the fees therefore have been authorized in said application.

9. _X_ Please charge Deposit Account No. **09-0108** in the amount of $ 740.00.

The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account No. **09-0108**.

A **duplicate** copy of this Request is enclosed.

10. ___ New formal drawings are enclosed.

11. _X_ The prior application is assigned of record to <u>Incyte Pharmaceuticals, Inc.</u>, recorded on October 20, 1997, at reel 8779/frame 0263.

12. ___ A preliminary amendment is enclosed.

13. _X_ Also enclosed: Return Receipt Postcard, Information Disclosure Statement (2 pp.), and List of References Cited by Applicants (PTO-1449) (2 pp.).

14. _X_ The power of attorney of the prior application is to:

Lucy J. Billings	**Reg. No. 36,749**
Michael C. Cerrone	**Reg. No. 39,132**
Diana Hamlet-Cox	**Reg. No. 33,302**
Richard C. Ekstrom	**Reg. No. 37,027**
Barrie D. Greene	**Reg. No. 46,740**
Matthew R. Kaser	**Reg. No. 44,817**
Lynn E. Murry	**Reg. No. 42,918**
Shirley A. Recipon	**Reg. No. 47,016**
Susan K. Sather	**Reg. No. 44,316**
Michelle M. Stempien	**Reg. No. 41,327**
David G. Streeter	**Reg. No. 43,168**
Stephen Todd	**Reg. No. 47,139**
Christopher Turner	**Reg. No. 45,167**
Peng Ben Wang	**Reg. No. 41,420**

a. _X_ A Revocation of Power of Attorney and Appointment of New Attorneys (2 pp.) is attached.

b. ___ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

c. __X__ Address all future correspondence to:

INCYTE GENOMICS, INC.
PATENT DEPARTMENT
3160 Porter Drive
Palo Alto, California 94304
Phone: (650) 855-0555, Fax: (650) 845-4166

Date: _Feb 25 2002_   By: _(signature)_
                              Terence P. Lo
                              Limited Recognition (37 C.F.R. 10.9 (b)) attached
                              Direct Dial Telephone: (650) 621-8581

___ Inventor(s)
___ Assignee of complete interest
___ Attorney or agent of record
__X__ Filed under 37 CFR 1.34(a), with Limited Recognition under 37 C.F.R. 10.9 (b).